

REMARKS

Claims 1-20 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-19 of U.S. Patent No. 6,718,018. In response to the double patenting rejections, Applicants submit herewith a timely-filed terminal disclaimer and fee. Accordingly, Applicants request that the double patenting rejections be withdrawn.

Rejections Based on Fuller et al.

Claims 1-4, 6, 9-11, and 14-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Fuller et al. (U.S. Patent 6,201,950). Because Fuller et al. is cited as prior art under 35 U.S.C. § 102(e), Applicants reserve the right to antedate this reference. However, even if this reference is prior art to the pending claims, Applicants respectfully request reconsideration and allowance of the pending claims as they are patentable over Fuller et al. for at least the following reasons. Claims 1, 11, and 16 recite a system and methods that enable a user to gain access to a voicemail service by utilizing a certain sequence of characters. Conversely, Fuller et al. discloses a system for paging a subscriber in an attempt to connect a calling party with the subscriber. While Fuller et al. may mention a voicemail system, it does so in the context of allowing a caller, who is unable to reach the person that they are calling, to leave a message for the person that they are calling. In view of these differences between the fundamental operations of the system and methods recited in Claims 1, 11, and 16 and the system disclosed in Fuller et al., Claims 1, 11, and 16 recite many features that are not disclosed in Fuller et al.

Claim 1 recites a supplementary service processor that is operative to receive a sequence of characters from the CPE, generate a query to a supplementary service database when the sequence of characters is a predetermined n-character messaging

sequence where $n < 7$, and receive a call forwarding number from the supplementary service database. Claim 1 also recites that the central office switch is operative to connect the CPE with the voicemail service in response to a call forwarding number that is received from the supplementary service database. Fuller et al. does not these features, as recited in Claim 1. While Fuller et al. may disclose storing forwarding numbers for a subscribed in a database (Col. 10, lines 14-25), these forwarding numbers are numbers that are used to try to connect a caller with the subscriber – these numbers are not used to enable a user to gain access to a voicemail service by connecting a CPE with the voicemail service.

Claim 1 further recites that the supplementary service database is operative to determine whether the user has access to the voicemail service using a caller identifier and transmit the call forwarding number to the central office switch if the user has access to the voicemail service. Fuller et al. does not disclose this feature. While Fuller et al. may disclose connecting a calling party, who has been unable to reach a called party, with a voicemail system, Fuller et al. does not make any determination of whether a user has access to the voicemail system before taking further action to connect the user with the voicemail system. Indeed, as shown in Figure 4b2, which the Examiner cited in the Office Action, no determination of whether a user has access to the voicemail system is made in the process of attempting to connect the user with the voicemail system. For at least these reasons, Claim 1 and its dependent claims are patentable over Fuller et al.

With respect to Claim 2, it recites that the central office switch is further operative to prevent access to the voicemail service in response to a determination that the user does not have access to the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as

well. While Fuller et al. may disclose a situation where voicemail is not available, it does not address the feature of denying access to a voicemail service when it is determined that a user is not permitted to have access the voicemail service.

With respect to Claim 4, it recites that the central office switch further comprises an error handler for sending an error message to the CPE in response to a determination that the user does not have access to the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as well. Again, while Fuller et al. may disclose a situation where a caller is notified that voicemail is not available, it does not address the feature of notifying a user that they have been denied access to a voicemail service because it is determined that a user is not permitted to have access the voicemail service.

With respect to Claim 10, it recites that the supplementary service database further comprises a redirecting identifier for connecting the user to an error message when the user is temporarily prevented from using the predetermined n-character messaging sequence to access the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as well. Again, while Fuller et al. may disclose a situation where a caller is notified that voicemail is not available, it does not address the feature of providing a user with an error message when the user is temporarily prevented from using the predetermined n-character messaging sequence to access the voicemail service.

Claim 11 recites determining whether the user has access to the voicemail service using a caller identifier and connecting the CPE to the voicemail service if the user has access to the voicemail service. Fuller et al. does not disclose these features. While Fuller et al. may disclose connecting a calling party, who has been unable to reach a called party, with a voicemail system, Fuller et al. does not make any

determination of whether a user has access to the voicemail system before taking further action to connect the user with the voicemail system. Indeed, as shown in Figure 4b2, which the Examiner cited in the Office Action, no determination of whether a user has access to the voicemail system is made in the process of attempting to connect the user with the voicemail system. For at least these reasons, Claim 11 and its dependent claims are patentable over Fuller et al.

With respect to Claim 15, it recites preventing access to the voicemail service if the user does not have access to the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as well. As noted above, while Fuller et al. may disclose a situation where voicemail is not available, it does not address the feature of denying access to a voicemail service when it is determined that a user is not permitted to have access the voicemail service.

Claim 16 recites receiving a sequence of characters from the CPE, generating a query in response to the receipt of the sequence of characters, determining whether the user has access to the voicemail service using a caller identifier, sending a call forwarding number to the central office switch if the user has access to the voicemail service, and connecting the CPE to the voicemail service using the call forwarding number. Fuller et al. does not disclose these features. As noted above, while Fuller et al. may disclose connecting a calling party, who has been unable to reach a called party, with a voicemail system, Fuller et al. does not make any determination of whether a user has access to the voicemail system before taking further action to connect the user with the voicemail system. Indeed, as shown in Figure 4b2, which the Examiner cited in the Office Action, no determination of whether a user has access to the voicemail system is made in the process of attempting to connect the user with the voicemail system. Also, while Fuller et al. may disclose storing

forwarding numbers for a subscriber in a database (Col. 10, lines 14-25), these forwarding numbers are numbers that are used to try to connect a caller with the subscriber – these numbers are not used to enable a user to gain access to a voicemail service by connecting a CPE with the voicemail service. For at least these reasons, Claim 16 and its dependent claims are patentable over Fuller et al.

With respect to Claim 17, it recites preventing access to the voicemail service in response to a determination that the user does not have access to the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as well. While Fuller et al. may disclose a situation where voicemail is not available, it does not address the feature of denying access to a voicemail service when it is determined that a user is not permitted to have access the voicemail service.

With respect to Claim 18, it recites sending an error message to the CPE in response to a determination that the user does not have access to the voicemail service. Fuller et al. does not disclose this feature, and this claim is patentable over Fuller et al. for this reason as well. Again, while Fuller et al. may disclose a situation where a caller is notified that voicemail is not available, it does not address the feature of notifying a user that they have been denied access to a voicemail service because it is determined that a user is not permitted to have access the voicemail service.

With respect to Claims 19 and 20, they recite, respectively, transmitting a caller identifier from the central office switch to a supplementary service database and verifying whether the user identified by the caller identifier subscribes to the voicemail service. As noted above, while Fuller et al. may disclose connecting a calling party, who has been unable to reach a called party, with a voicemail system, Fuller et al. does not make any determination of whether a user has access to the

voicemail system before taking further action to connect the user with the voicemail system. Indeed, as shown in Figure 4b2, which the Examiner cited in the Office Action, no determination of whether a user has access to the voicemail system is made in the process of attempting to connect the user with the voicemail system.

For all of the foregoing reasons, reconsideration of the rejections based upon Fuller et al. is respectfully requested.

Rejections Based on Kasiviswanathan

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kasiviswanathan (U.S. Patent 6,215,857). Because Kasiviswanathan is cited as prior art under 35 U.S.C. § 102(e), Applicants reserve the right to antedate this reference. However, even if all of this reference is prior art to the pending claims, all of the pending claims are patentable for at least the following reasons. As noted above, Claims 1, 11, and 16 recite a system and methods that enable a user to gain access to a voicemail service using a certain sequence of characters. Conversely, Kasiviswanathan discloses a direct voicemail system that allows a calling party to leave message for a called party without having the calling party's telephone ring. While Kasiviswanathan may mention a voicemail system, it does so in the context of allowing a caller to directly leave a message for the person that they are calling. In view of these differences, Claims 1, 11, and 16 recite many features that are not disclosed in Kasiviswanathan.

Claim 1 recites that the supplementary service database is operative to determine whether the user has access to the voicemail service using a caller identifier and transmit the call forwarding number to the central office switch if the user has access to the voicemail service. Kasiviswanathan does not disclose this feature. While Kasiviswanathan may disclose checking to see if the called party has

subscribed to the direct voicemail feature (Column 4, lines 43-55), it does not disclose determining whether the user (i.e. the calling party) has access to the voicemail feature, as recited in Claim 1. Accordingly, Claim 1 and its dependent claims are patentable over Kasiviswanathan for at least these reasons.

With respect to Claim 2, it recites that the central office switch is further operative to prevent access to the voicemail service in response to a determination that the user does not have access to the voicemail service. Kasiviswanathan does not disclose this feature, and this claim is patentable over Kasiviswanathan for this reason as well. While Kasiviswanathan may disclose a situation where the called party does not subscribe to the direct voicemail feature or the feature is inactive (Column 4, lines 61-65), it does not address the feature of denying access to a voicemail service when it is determined that the user (i.e. calling party) is not permitted to have access the voicemail service.

With respect to Claim 4, it recites that the central office switch further comprises an error handler for sending an error message to the CPE in response to a determination that the user does not have access to the voicemail service. Kasiviswanathan does not disclose this feature, and this claim is patentable over Kasiviswanathan for this reason as well. Again, Kasiviswanathan does not disclose the feature of determining whether or not the user (i.e. calling party) is not permitted to have access the voicemail service and taking action in response to such a determination.

Claim 11 recites determining whether the user has access to the voicemail service using a caller identifier and connecting the CPE to the voicemail service if the user has access to the voicemail service. For the same reasons noted above,

Kasiviswanathan does not disclose these features, and Claim 11 and its dependent claims are patentable over Kasiviswanathan for at least those same reasons.

With respect to Claim 15, it recites preventing access to the voicemail service if the user does not have access to the voicemail service. For the same reasons noted above, Kasiviswanathan does not disclose this feature.

Claim 16 recites receiving a sequence of characters from the CPE, generating a query in response to the receipt of the sequence of characters, determining whether the user has access to the voicemail service using a caller identifier, sending a call forwarding number to the central office switch if the user has access to the voicemail service, and connecting the CPE to the voicemail service using the call forwarding number. For the same reasons noted above, Kasiviswanathan does not disclose these features, and Claim 16 and its dependent claims are patentable over Kasiviswanathan for at least those same reasons.

With respect to Claim 17, it recites preventing access to the voicemail service in response to a determination that the user does not have access to the voicemail service. For the same reasons noted above, Kasiviswanathan does not disclose this feature.

With respect to Claim 18, it recites sending an error message to the CPE in response to a determination that the user does not have access to the voicemail service. For the same reasons noted above, Kasiviswanathan does not disclose this feature.

With respect to Claims 19 and 20, they recite, respectively, transmitting a caller identifier from the central office switch to a supplementary service database and verifying whether the user identified by the caller identifier subscribes to the

voicemail service. For the same reasons noted above, Kasiviswanathan does not disclose these features.

In view of the above remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason C. White", is written over a horizontal line.

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